

Remarks

Claims 1-11 are now in the application. In an Advisory Action addressing the Amendment under 37 C.F.R. § 1.116 filed April 13, 2006, the Examiner object to claim 12 and 20 amendments that the Examiner argued raised new issues for search and consideration. Those claims have been cancelled without prejudice by this Supplemental Amendment to place the application in condition for allowance. Accordingly, the amendments that the Examiner indicated placed the claims in condition for allowance in remaining in claims 1-11, and the application is considered in condition for allowance after final action.

These amendments are made at Applicant's first opportunity to respond to the Advisory Action mailed April 28, 2006, following Applicant's timely response within two months to the final Office Action mailed January 13, 2006. Payment of the fee for requesting a one month extension of time until May 15, 2006, accompanies this amendment.

This amendment is made at Applicant's first opportunity to respond to the matters addressed in the Advisory Action and by the Examiner after Applicant's response to the final Office Action, and could not have been made earlier. Moreover, as previously indicated by the Examiner, the amendments contained herein place the application in condition for allowance. Accordingly, the amendment is properly entered after final action under 37 C.F.R. § 1.116. Moreover, as previously argued, the amendments do not add new matter to the application and are fully supported by the original disclosure.

Applicant's attorney is appreciative of the Examiner's time and cooperation in conducting a telephonic interview regarding the best way to address the comments made by the Examiner in the Final Office Action. At the interview, the Examiner requested additional clarification that the strand relationship at the ends of the coil distinguishes the claimed invention from the cited prior, and supporting arguments addressing the advantages. Accordingly, the language deemed agreeable to the Examiner has been added to those claims and the arguments are submitted below. The Examiner was not ready to agree that amendments to claims 12 and 20, addressing issues raised by the Examiner in the statements of rejection in the final Office Action, would not raise new issues for search or consideration after final action. Upon receipt and review of the Advisory Action, this supplemental Amendment was prepared.

The Examiner rejected claims 1 and 4-10 under 35 U.S.C. § 102(b) as anticipated by Germann. While a spring strand is laterally coiled in the decklid hinge of Germann, the strand ends remain aligned at separated, axial positions along the coil, and are shaped to maintain positions intermediate the ends of the coil. The Examiner argued clarifying language could aid understanding that one of the strands at a first coil end include a portion that extends from the second coil end. The claim already expressly recites that each strand end reaches the first coil end. The Germann reference anticipates only strand ends at separated coil regions, and intermediate the ends of the coil. Accordingly, the language suggested by the Examiner to establish that a second end of the strand extends from a second coil end along a longitudinal direction of said coil to a position at said first coil end, emphasizes the first coil end position of both ends of the strand previously stated.

Moreover, this structure provides the advantage that neither strand end is obstructed by the coil during strand end movement. In contrast, both ends of the coil strand shown in Germann are in alignment adjacent to portions of the coil, whereas the strand ends cannot be displaced past the coil. The claimed placement avoid interference with intermediate portions of the coil. In addition, such a structure simplifies connection of the strands to a linkage. While the number of turns in the coil and the length of the coil may vary to adjust spring force for differently weighted decklids, the same links can be attached to the strands, and attached at the same positions, regardless of coil dimensions. The structures providing that advantage are now fully defined in the claims as amended.

These amendments do not add new matter to the application and are fully supported by the original disclosure, for example, the specification at page 7 lines 6-9, Figures 6 and 7, and corresponding portions of the written description. As a result, the amendment does not add new matter to the application and is fully supported by the original disclosure. Moreover, the amendment is made at applicant's first opportunity to address the statements made in the final Office Action and the Advisory Action, and could not have been made earlier. In fact, the first and second coil ends were positively recited in the previous version of the claims, and it is believed that the clarification merely emphasizes strand configuration that results in coil end structures previously recited in the claim, and does not raise new issues

for search or consideration after final action. Accordingly, amendments could not have been made earlier and are properly entered after final action under 37 C.F.R. § 1.116.

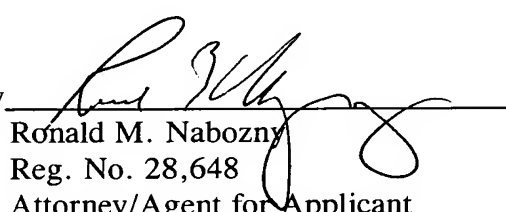
The Examiner rejected claims 2, 3 and 11, under 35 U.S.C. § 103 as unpatentable over Germann. As discussed with the Examiner at the interview, the limitations of claims 2 and 11 further define the present invention over the teachings of Germann. Germann teaches that strand ends are separated and not both at a first end of the coil. In particular, claims 2 and 11 expressly define that a longitudinally extending portion from a second end of the coil to a first end of the coil is positioned within the coil, and no such positioning is taught or suggested by Germann. Rather, such a modification does not result from the teachings of Germann or the other references of record. Accordingly, dependent claims 2 and 3 depending from claim 1, and claim 11 depending from claim 10, respectively, likewise define the present invention over the teachings of the cited prior art reference and other references of record.

In view of the foregoing, Applicant respectfully submits that the present application is now in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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